

HANGING


IN CHAINS



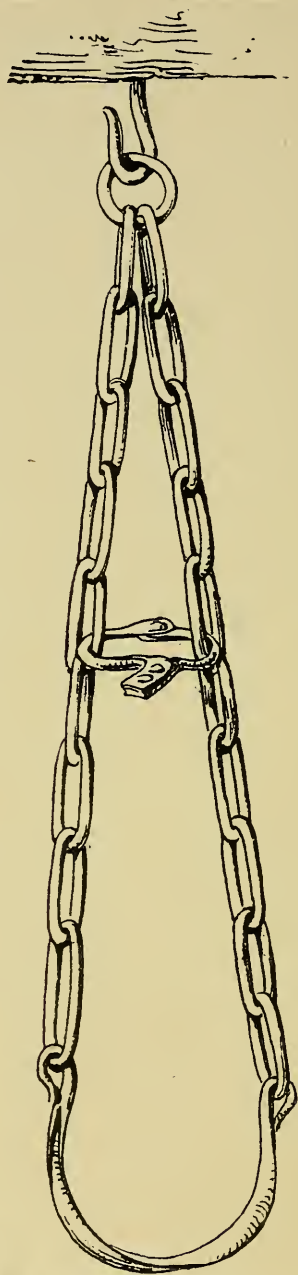
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PIRATE'S CHAINS.
(From the Thames.)

HANGING IN CHAINS

BY

ALBERT HARTSHORNE, F.S.A.



“ No, no; let them hang, and their names rot, and their crimes live for ever against them ” (Mercy to Great-heart : *The Pilgrim's Progress*, Chapter iv.).



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PREFACE.



F the twelve regular methods of proceeding in the courts of criminal jurisdiction in England, the last—that of execution—is the only one that is particularly treated of in the following pages. “Sus. per col.” has been, as it were, the only warrant ; but in attempting to trace some items in a record that runs like a scarlet thread through the long course of events that constitutes history, it has not been

possible, on the one hand, to avoid touching upon other modes and details of capital punishment in England, or, on the other, to escape from straying somewhat into the catalogue of what Blackstone calls “the shocking apparatus of death and punishment” to be met with in the criminal codes of other European nations. And while this course has been pursued,—certainly rather by way of comment and illustration, than with any desire to “accumulate horrors on horror’s head,”—an endeavour has also been made, in carrying down the pitiful story, to dissipate some of the clouds of mystery and fable that have clustered round the Gibbet. Removed, as we happily are by time, from a period when it was lawful, and even accepted as fitting, that men who bore the brand of Cain should be made the subject of a revolting and disgraceful spectacle,

we can approach the matter without prejudice, and with proper calmness ; but it is, perhaps, not so easy at once to realize how great is the change that has taken place in national feeling and sympathy since George the Third was king. And if humanity would recoil to-day with abhorrence from the actual gibbet, sensation itself would be stunned at the punishment for High Treason,—at the drawing and quartering of patriots, whose names may shine in history “through their tears like wrinkled pebbles in a glassy stream.” It will be borne in mind that the gallows and the gibbet are the most ancient instruments of capital punishment in the world ; as such they have a distinct archæological as well as a legal interest ; and, inasmuch as it appears that the custom of exposing human bodies in irons and chains is almost peculiar to this country, doubt-

less no further motive need be adduced for now bringing together these scattered English notices. And it is thought that what may be lacking in other respects may be somewhat compensated for by the historical and antiquarian features, so that, in spite of its rather ominous title, the book may be found not entirely repellent.

BRADBOURNE HALL, ASHBOURNE.

April, 1891.





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HANGING IN CHAINS.



Chapter I.



TO rest at last in the ground, to be buried in the sepulchre of their fathers, was accounted by the Jews as the greatest honour and happiness, and throughout the Old Testament the expression for death is sleeping, implying lying tranquil and undisturbed. Thus David, Azariah, and Jotham “slept with their fathers, and were buried in the city of David”—“for so He giveth His beloved sleep.”¹

¹ Psa. cxxvii. 2.

On the other hand, to die an unnatural or violent death, to be cast out of the grave like an abominable branch, to be as a carcass exposed in the sight of the sun, or trodden under foot, and not to be joined with their fathers in burial, was ever esteemed a note of infamy, and a kind of curse. "And if a man have committed a sin worthy of death, and he be to be put to death, and thou hang him on a tree : his body shall not remain all night upon the tree, but thou shalt in any wise bury him that day (for he that is hanged is accursed of God) ; that thy land be not defiled." ¹ So Jehoiakim was threatened with the want of even ordinary burial, and to be cast out like carrion into some remote and sordid place. It was a severe sentence, "He shall be buried

¹ Deut. xxi. 22, 23.

with the burial of an ass, drawn and cast forth beyond the gates of Jerusalem." ¹

Again, Jeremiah foretelling the desolation of the Jews, "Their carcasses will I give to be meat for the fowls of the heaven, and for the beasts of the earth," ² "and no man shall fray them away;" ³ and in another place we are told that their bones shall be "spread before the sun, and the moon, and all the host of heaven, . . . they shall not be gathered, nor be buried." ⁴

In the denunciation of Jehoiakim, in that picturesque and striking scene, when the king burnt the roll of Baruch, it is recorded against him : "His dead body shall be cast out in the day to the heat, and in the

¹ Jer. xxii. 19.

² Jer. xix. 7.

³ Deut. xxviii. 26.

⁴ Jer. viii. 2,

night to the frost.”¹ So great, indeed, was the dread among the ancient Jews that the dead body should be treated with derision or contumely, that the Preacher expressed and summed up the general sentiment in these words: “If a man . . . have no burial, I say that an untimely birth is better than he.”²

As with the Jews so it was with the Egyptians. They refused burial to executed criminals and gave their bodies to the birds and beasts. For instance, Joseph said to the chief baker, “Yet within three days shall Pharaoh lift up thine head from off thee, and shall hang thee on a tree; and the birds shall eat thy flesh from off thee.”³ And so it came to pass.

We may gather, again, from the

¹ Jer. xxxvi. 30.

² Eccles. vi. 3.

³ Gen. xl. 19.

short and touching story of the long watches of Rizpah, how deep was the solicitude that the dead should not be polluted by birds and beasts,¹ or from the ghastly fate of Amasa, whose mangled corpse was covered with a cloth by a mere bystander—one of Joab's men ²—in order that the people might not be shocked by looking upon it—how strong was the feeling in those days against the wanton exposure of the divine image.

It would be easy to multiply examples from these sources, but with further regard to the seven sons of Saul it may be mentioned that “the victims were not, as the Authorized Version implies, hung, they were crucified. The seven crosses were planted in the rock on the top of the sacred hill of Gibeah.

¹ 2 Sam. xxi. 10.

² 2 Sam. xx. 12.

. . . The victims were sacrificed at the beginning of barley harvest,—the sacred and festal time of the Passover—and in the full blaze of the summer sun they hung till the fall of the periodical rain in October.

. . . She spread on the rocky floor the thick mourning garment of black sackcloth, which as a widow she wore, and crouching there she watched that neither vulture nor jackal should molest the bodies.”¹ Thus the practice of gibbeting on a cross was in use at least as early as in the days of King David.

The misery of having no burial, of rendering neither justice to the earth nor mercy to the dead, was recognized by the refined nature of the Greeks, and, while they refused decent sepulture to infamous persons

¹ Smith's "Dict. of the Bible," s.v. Rizpah.

and prisoners, they yearned both in peace and war for quiet burial in the ground, for they were dismayed at the thought of burial at sea.¹

Thus Mezentius, in the *Æneid* of Virgil, asks not *Æneas* to spare his life,

“but let my body have
The last retreat of human kind, a grave.”²

¹ Of justice, in that earth should be returned to earth, and dust to dust, for what could be more just than to restore to mother earth her children, . . . that she might at last receive them again into her bosom, and afford them lodging till the resurrection? The ancients also thought it an act of mercy to hide the dead in the earth, that the organs of such divine souls might not be torn and devoured by wild beasts, birds, &c. T. Greenhill, “*ΝΕΚΡΟ-ΚΗΔΕΙΑ*,” p. 33.

² Dryden’s “Translation”—*Æneid*, lib. ix. v. 901.

Nullum in cœde nefas nec sic ad prælia veni
Nec tecum meus hæc pepigit mihi fœdera
Lausus

Unum hoc, per, si qua est victis venia hostibus
oro;

And Turnus—

“Or if thy vowed revenge pursue my death,
Give to my friends my body void of breath.”¹

And, to take another and a notable example, Hector, in his last hour, beseeched Achilles to take the ransom and suffer not his body to be devoured by the dogs of the Greeks, but to let the sons and daughters of Troy give him burial rites.²

Corpus humo patiare tegi : scio acerba meorum
Circumstare odia : hunc, oro, defende furorem,
Et me consortem nati concede sepulchro.

¹ Dryden's “Translation”—Æneid, lib. xii.

v. 935.

Et me, seu corpus spoliatum lumine mavis,
Redde meis.

² Τὸν δ' ὀλιγοδρανέων προσέφη κορυθαίολος Ἑκτωρ·
Λίσσομ' ὑπὲρ ψυχῆς, καὶ γούνων, σῶν τε τοκήων,
Μή με ἔα παρὰ νηυσὶ κύνας καταδάψαι Ἀχαιῶν·
Ἄλλὰ σὺ μὲν χαλκὸν τε ἄλκις χρυσὸν τε δέδεξο,
Δῶρα, τὰ τοι δώσουσι πατήρ καὶ πότνια μήτηρ·
Σῶμα δὲ οἴκαδ' ἐμὸν δόμεναι πάλιν, ὅφρα πυρός με
Τρῶες καὶ Τρώων ἄλοχοι λελάχωσι θανόντα.

—Hom. Il. xxii. 337–343.

It is said that a certain Achæus, who disputed sovereign power with Antiochus, was betrayed by a Cretan, his limbs cut off, and his body wrapped in the skin of an ass, and exposed on a gibbet.

Pliny, in his "Natural History,"[†] tells us that Tarquinius Priscus, who died 578 B.C., ordered the dead bodies of suicides to be exposed on a cross. He was a powerful ruler, and an Etruscan, and made his mark on Rome. He came from Etruria when it was in a high state of development, and, no doubt, the practice of gibbeting on a cross was early in use with that ancient and gifted race.

The Romans dreaded the public exposure of their bodies, and shipwreck, no less than did the Greeks; thus Ovid—

[†] Lib. 36, cap. 15.

“ I fear not death, nor value how I die ;
 Free me from seas, no matter where I lie.
 'Tis somewhat, howsoe'er one's breath depart,
 In solid earth to lay one's meaner part ;
 'Tis somewhat after death to gain a grave,
 And not be food to fish, or sport to every
 wave.” ¹

They refused sepulture to suicides, for they thought it unreasonable that any hands should bury him whose own had destroyed himself, and they withheld decent burial from criminals.

Albertus Leoninus, from the Low Countries, one of the ablest lawyers of the sixteenth century, says, speaking of the Romans, “ If any one killed himself his body was cast out upon a

¹ Non lethum timeo, genus aut miserabile
 lethi :

Demite naufragium ; mors mihi munus erit.
 Est aliquid fatove suo, ferro cadentem
 In solida moriens, ponere corpus humo :
 Est mandata suis aliquid sperare sepulchra,
 Et non æquoreis piscibus esse cibum.

dunghill to have common sepulture with dogs, &c.; but, however, it was more customary to have his goods confiscated, and his body hung on the *furca*, or gibbet. All such persons as hung upon this gibbet were, by the laws, denied sepulture; and a sentry, says Petronius, was set to watch them, lest anybody should come by night and steal them away.”¹ The memorable words, “and sitting down they watched Him there,” cannot fail to occur to the mind.

Our Saviour, with all reverence be it said, was gibbeted—“nail’d, for our advantage, on the bitter cross,”² and it was not until long after that great Sacrifice—perhaps not until the fifth century—that the cross became the generally recognized Christian

¹ Lew Leew, “Process. Criminal.”

² *King Henry IV.*, Act i. sc. 1.

sign, and gradually took the place of the Chi Rho ☩ emblem.

The number of Saints who suffered, and were exposed upon the cross or gibbet, is larger than that of those who died the death in any other way. Saint Ferreolus, martyred in 212, is shown in "Die Iconographie der Heiligen" with a gibbet proper near him; Saint Anastatius, martyred in 628, is represented in a fresco in the church of SS. Vincent and Anastatius, in Rome, upon a gibbet, and pierced with many arrows; and the martyr Saint Colman, who suffered in the year 1012, is shown in "Das Passional" of 1480 hanging on a gibbet; in "Die Attribute der Heiligen" he stands in the *sclavine* of a pilgrim, with a rope in his hand, indicating the manner of his death.¹

¹ Husenbeth, "Emblems of Saints," edit. 1882.



Chapter II.



ENCE, as we have seen, gradually arose, side by side with the capital punishment of hanging on the gallows in its simplicity—which may be almost said to be as old as the world itself—the custom of publicly exposing human bodies upon gibbets as warnings to others.

We gather from the “Vocabulary of Archbishop Alfric,” of the tenth century, and from early illuminated MSS., that the gallows (*galga*) was the usual mode of capital punishment with the Anglo-Saxons. It can hardly be doubted that in certain cases, as with

the Romans, the body of the “for-demed”—in the case of decapitation the “heafedleas bodi”—remained *in terrorem* upon the gibbet, as Robert of Gloucester, *circa* 1280, has it, referring to his own times:—

“In gibet hii were an honge,”

though not necessarily as part of the sentence, as appears always to have been the case in England. An obscure poet, Robert Brunne, has:—

“First was he drawen for his felonie,
& as a thefe than on galwes hanged hie.”

In the numerous enactments concerning the administration of the criminal law, from the “Statute of Westminster the First,” in 1277, to the Act of George II. in 1752, no cognizance is taken of the hanging of bodies of criminals in chains. Such a treatment of the carcass was, like the rack, rather an engine of state than of law.

In Chauncy's "History of Hertfordshire" it is stated :—

"Soon after the King came to Easthampstead, to recreate himself with hunting, where he heard that the bodies which were hanged here were taken down from the gallows, and removed a great way from the same ; this so incensed the King that he sent a writ, tested the 3rd of August, Anno 1381, to the bailiffs of this borrough, commanding them upon sight thereof, to cause chains to be made, and to hang the bodies in them upon the same gallows, there to remain so long as one piece might stick to another, according to the judgement ; but the townsmen, not daring to disobey the King's command, hanged the dead bodies of their neighbours again, to their great shame and reproach, when they could not get any other for any wages to

come near the stinking carcasses, but they themselves were compelled to do so vile an office."

This is an early record of a judgment to hang *in terrorem*, and of chains for the purpose.¹

Gower, a contemporary poet, says:—

"And so after by the Lawe
He was into the gibbet drawe,
Where he above all other hongeth,
As to a traitor it belongeth."

Again, during the second Northern Rising, in 1536, the Duke of Norfolk hung and quartered, as the usual punishment for high treason, seventy-four men at Carlisle, but the bodies of Sir Robert Constable and Ashe were hung in chains at Hull and York respectively, as special cases. And the Duke blames the Earl of Cumber-

¹ Chauncy, "History of Hertfordshire," vol. ii. p. 274.

land for not having hung certain persons in chains, as he had directed ; he airily adds, speaking of other examples in Yorkshire, that “they all hang still in chains, notwithstanding that I have had no small intercession for many of them.”¹

We gather from these items that, although the public exposure of the body entire formed no legal part of the punishment for high treason, it was sometimes added to it for the increase of the shame. Whether the ensanguined, quivering quarter of a man, uplifted high on a gateway, had a more deterrent effect than a whole body slowly wasting away in chains, we are, fortunately, not now called upon curiously to determine.

It may here be mentioned that the

¹ F. A. Gasquet, “Henry VIII. and the Monasteries,” vol. ii. p. 164.

punishment for high treason differs in one important particular from that for murder. The head must be severed from the body after the hanging. The man must be drawn to the gallows, and may not walk ; he must be cut down alive ; his entrails taken out and burnt before his face. Then the head cut off—"headed," and finally the body quartered, and the head and quarters remaining at the king's disposal. This was the English law, as finally settled by the Statute of Treason of 25 Edward III. (1351). Such a sentence had been first carried out, as it appears, upon a pirate named William Marise, in 1241. Notable examples are those of Wallace, 1305 ;¹

¹ The Chancellor's Roll states that the cost of Wallace's execution, and transmitting the quarters to Scotland, was 61s. 10d. "He was take and broute onto London, hanged, and drawn, and quartered ; his hed sette on London

the elder and the younger Despencers, 1326;¹ Hotspur, 1403;² and they

brigge; his body dyvyded in iiij quarteres and sent to foure tounes in Scotland" (Capgrave's "Chronicles"). Wallace was hung, cut down alive, opened, his bowels, &c., burnt, beheaded, and finally quartered. Newcastle had his brave right arm, the left went to Berwick, Perth received the right leg, and Aberdeen the left. Thus the patriot was broken up.

¹ "Enormiter, pertitiose, et crudeliter, sine judicio et responsione, suspensus, distractus, et in quatuor partes divisus fuit; et in nostra ecclesia diu postea sepultus" (*Tewkesbury Register*).

² The battle of Shrewsbury was fought July 21, 1403, and the four quarters of Hotspur were divided between London, Shrewsbury, Chester, and Newcastle. York had the head. Four months later, namely, November 3rd., a writ was directed to the mayor and sheriffs of York, as follows:—

"The King to the Mayor and Sheriffs of the city of York, greeting.—Whereas of our special grace we have granted to our Cousin Elizabeth, who was the wife of Henry de Percy, Chivalier, the head and quarters of the same Henry to be buried: We command you that the head afore-

are notable examples of shocking barbarity; and not least memorable though, happily, last, the executions

said, placed by our command upon the gate of the city aforesaid, you deliver to the same Elizabeth, to be buried according to our grant aforesaid. Witness the king at Cirencester, this 3rd day of November.”

By writ of Privy Seal:—

“The King to the Mayor and Sheriff of the town of Newcastle-on-Tyne, greeting.—Whereas (&c., &c., as above) you deliver to the said Elizabeth a certain quarter of the said Henry placed upon the gate” (&c., &c., as above).

Similar writs were directed to the Mayor and Bailiffs of Chester, and to the authorities at Shrewsbury for other several quarters of the same Henry, and to the Abbot of Shrewsbury a writ was addressed directing him to bury the body of Hotspur, thus again brought together, in his church of St. Peter at Shrewsbury. The fourth quarter, that sent to distant London, does not appear to have been forthcoming, for reasons which will be apparent. See Rev. C. H. Hartshorne’s “Feudal and Military Antiquities of Northumberland and the Scottish Borders,” p. 296.

after "the —45," in exact accordance with the ancient statute of four centuries before. It is recorded that one of these last victims struggled for a few moments with William Stout of Hexham, the fiend who, for twenty guineas and the clothes, did the bloody business, when he opened his bosom and plucked out his heart.¹ It is a dreadful subject, which one almost shrinks from touching; but it may be added that none of the thirty-two sufferers at Carlisle for "the —45" were hung in chains; they died the ferocious death for high treason.²

¹ "History of Penrith," 1858, p. 95.

² The total number arraigned was 382; by lot this was reduced to 127, the total number condemned to death being 86. Lords Balmerino and Kilmarnock were beheaded for "the —45," August 18, 1746. They behaved with much dignity and fortitude. The former expressed his wish to Lord Kilmarnock, just before the execution, that he wished he could suffer for

As a curiously mitigated example we may mention the case of the five gentlemen attached to the Duke of Gloucester, who were arraigned and condemned for treason in 1447. They were hung and immediately cut down alive, stripped naked, their bodies marked for quartering, and then, no doubt very much to their surprise, pardoned.

In Jersey, during the administration of the Duke of Somerset, uncle of Edward VI., two pirates were condemned and hung in chains, as appears

them both; *noblesse oblige*, even on the scaffold. By their particular request their heads were not severally held up and exposed by the executioner with the usual formula—"This is the head of a traitor." But the sheriffs directed that everybody on the scaffold should kneel down, so that the people might see the execution itself performed—a ceremony never practised before. ("Account of the Behaviour," &c., by T. Forde, a gentleman then present, 1746.)

from the following extract from the registers of the island :—

“ Placita Catallia cum justicia reallis ten' die xvij^o Mensis Januarii An'o Domini Mille^o quinm^o 1^o coram Ballj in p'na Clement Lemp're, Jo'his de Carteret, Ricardi Dumaresq, Nicoll' Lemp're, Jo'his Lemp're, Edwardii Dumaresq, Edwardii de Carteret, Laurentii Hamptoune, Georgii de Carteret, Jo'his de Soullemon.

“ John Wyte, Bernabé Le Quesne, Sébastian Alexandre, criminels pour leur démerites de cas de crime pirates et larens de mer accordant leur confessions sont condampnés à estre pendus et estranglés de cy a ce que mort en ensuyve savoir est ledit John Wyte sur une potence hault eslevée à la pointe de devers S^{te} Katherine et ledit Bernabey Le Quesne sur une potence hault élevée p'eillement sur le bec et pointe de Noirmont aux lieux

les plus eminens desdites Montaignes et la leurs corps demeurer enchâinés po^r y estre consumés et pourrys, et le dit Sebastien est respité par certaines considerations prises et considérées en Justice, et to^s leurs biens meubles et héritages confisqués en la maison du Roi ou des Seigneurs aux q^{ls} il app^tiennent” (Cour du Catel).¹

In Hakluyt's "Voyages" we find the following: — "Hereupon the souldiers besought me not to hang them, but rather let them be shot throw, and then afterwards, if I thought good, their bodies might be hanged upon gibbets along the haven's mouth." ²

The numerous allusions to gibbets by Shakespeare show how common they were in his day.

¹ De la Croix, "Jersey, Ses Antiquités, Ses Institutions, Son Histoire," vol. iii. pp. 342, 343.

² Hakluyt, "Voyages," vol. iii. p. 336.

It will have been observed in the foregoing remarks that the words “gallows” and “gibbet” have been used indifferently in the quotations both for hanging a man from, and for exposing him upon. It would appear that, at least with us at the present day, *gallows* is the thing upon which men suffer, and *gibbet* the object upon which they are set forth. Hence the expression to gibbet a man by calling attention publicly to nefarious deeds, and, as the one thing has given us the verb, so the other furnishes the language with an adjective equally expressive, and a person by his “gallows” conduct stands a fair chance of reaching the gallows at last. A gallows may by particular use become a gibbet, but not contrariwise, and the same remark may be said to apply to Potence and Gibbet.



Chapter III.



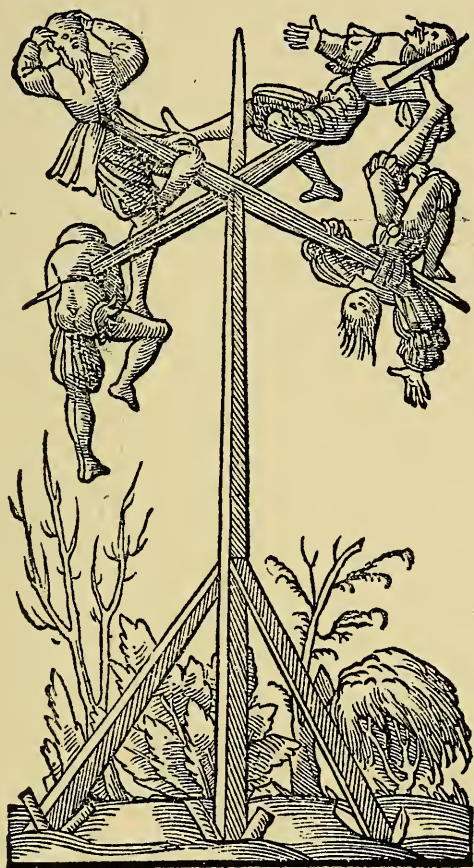
WHILST such horrors were going on in England we may be sure that the Germans, with their dogged brutality, were not behind-hand. With them the bodies of traitors and highwaymen, as well as of murderers, were fixed upon poles, set upon wheels, impaled alive, or hung upon gibbets. Three prints from "*La Cosmographie Universelle de Münster*," 1552, give some notion of the sternness of the Teutonic penal code.

The last instance of burning at the



DECAPITATION.

(Facsimile of an original woodcut in "*La Cosmographie universelle de Münster*," 1552.)



IMPALEMENT.

(Facsimile of an original woodcut in "*La Cosmographie universelle de Münster*," 1552.)]



BURNING AT THE STAKE.

(Facsimile of an original woodcut in "*La Cosmographie universelle de Münster*," 1552.)

stake in Germany occurred at Berlin, Aug. 18, 1786. It was then seventy years since a similar punishment had been carried out in the Prussian capital. The criminal, stripped to his shirt, was enclosed in a cage-like frame which fastened with a door, and was surrounded with wood and straw.

The last example of breaking on the wheel was carried out at Vienna in the above-mentioned year. The victim was tortured with red-hot pincers—*tenaillé*—as he walked to the place of execution.

Weever, writing in 1631, says:—

“ Hee that commits treason, is adjudged by our Lawes, to be hanged, drawne, and quartered, and his diuided limbes to be set vpon poles in some eminent place, within some great Market-towne, or Citie.

“ He that commits that crying sinne of murther, is vsually hanged

vp in chaines, so to continue vntill his bodie be consumed, at or near the place where the fact was perpetrated.

“Such as are found guilty of other criminall causes, as Burglarie, Felonie, or the like, after a little hanging are cut downe and indeed buried, but seldom in Christian mould (as we say) nor in the sepulchres of their fathers, except their fathers have their graves made neare, or vnder the gallows.

“And we vse to bury such as lay violent hands vpon themselues, in or neare to the high wayes, with a stake thrust through their bodies, to terrifie all passengers, by that so infamous and reproachfull a buriall; not to make such their finall passage out of this present world.”¹

¹ Weever, “Ancient Funeral Monuments,” p. 22, edit. 1631.

It is important to notice, as regards hanging in chains, that Weever says "vsually," not "always;" and although in the preceding paragraph, when speaking of treason, he says the punishment for it "is adjudged by our Lawes," he makes no such remark now, but is significantly silent as to the legal nature of chains; but, from the way Weever puts it, it must have been a common practice at that time in England.

In Scotland, Lord Dreghorn, writing in 1774, says, "The first instance of hanging in chains is in March, 1637, in the case of Macgregor, for theft, robbery, and slaughter; he was sentenced to be hanged in a chenzie on the gallowlee till his corpse rot." ¹

¹ M'Laurin (Lord Dreghorn), "Arguments and Decisions," &c., Edinburgh, 1774.

In 1688 one Standsfield, found guilty of treason for cursing his father, and accession to his father's murder, was sentenced to be hung at the Mercat Cross till he was dead, his tongue to be cut out and burnt upon a scaffold, his right hand to be cut off and affixed on the East Port of Haddington, and his body to be carried—not drawn—to the gallowlee between Leith and Edinburgh, “and there to be hanged in chains, and his name, fame, memory, and honours to be extinct, and his arms to be riven forth and delet out of the books of arms.”¹ Thus the hanging in chains formed part of the sentence in Scotland which it never did in England for any crime, if we except the solitary instance at East-hampstead in 1381.²

¹ See “Trial of Philip Standsfield,” &c., Edinburgh, 1688.

² See p. 15.

We may now pass for a short time to France. In that country the gallows was a feudal right which, held in the first place *in capite*, could be sub-infeudated to lesser vassals, but they could at any time be suppressed by the Crown.¹ Voltaire, at Ferney, had several gallows or *potences*, and his reassuring speech about them to his friends was, "I have as many gallows as would suffice to hang half the monarchs in Europe, and half the monarchs in Europe deserve no loftier position."

Charles V. (1380—1422) granted leave to certain districts to have gallows—*fourches patibulaires*—with two posts, and a curious question arose in consequence of the Count of Rhodéz having placed his armorial

¹ Viollet le Duc, "Dictionnaire raisonné," tome v. p. 553, s.v. *Fourches patibulaires*.

bearings upon a gibbet of this kind against the prerogative of the king ; it was an abuse of privilege, and implied the seizing of justice. Such gibbets, of which the number of pillars, or, if of wood, posts, varied from two to eight, according to the quality of the lord, were used both to hang criminals from, and for the suspension, exposure, or gibbeting of the bodies of men executed elsewhere upon temporary gallows. The sites of these *fourches patibulaires* are recognizable at the present day by the names, "La Justice," "La grande Justice," titles corresponding to our own more humble and prosaic terms, "Gibbet Hill," or "Gibbet Field." The English gibbets have never assumed, like those in France, any monumental character.

It is certain that there was already at the end of the twelfth century a great

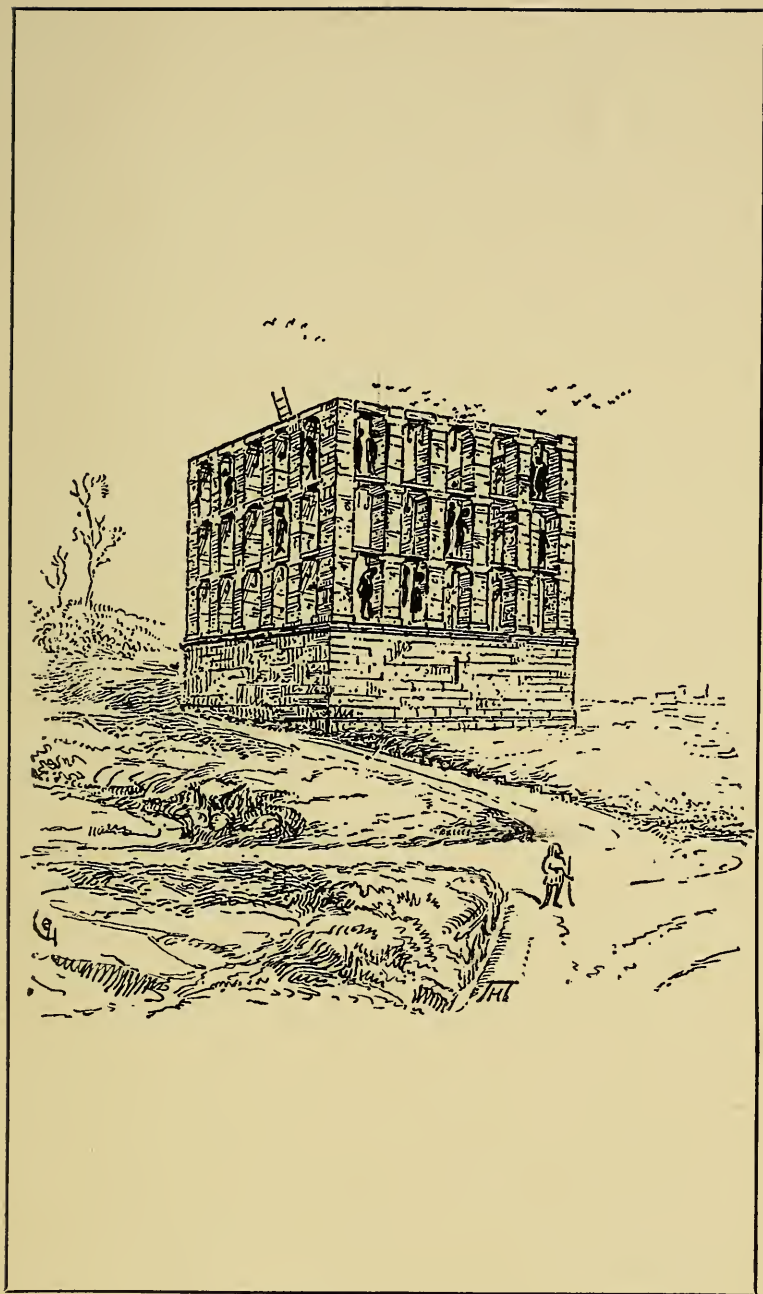
monumental gibbet on the eminence of Montfaucon, between the faubourgs of St. Martin and the Temple, in Paris. Sauval gives a remarkable description of it as at that period, and, although he does not give his authorities quite in the way English antiquaries might wish, there can be no doubt, from the documents of the thirteenth century, that the monument was as Sauval describes it. It underwent extensive repairs, if not partial re-building, in 1425, when forty-eight old beams were replaced by new ones. It is also recorded that in 1466 "at the Great Justice of Paris were attached and nailed fifty-two iron chains to hang and strangle the malefactors who have been and shall be sent here by order of Justice." Eight great new ladders were subsequently added, and all these details are corroborated by a representation

in an old tapestry at the Hotel de Ville.¹

From these very curious records the genius of Viollet le Duc has produced an illustration which is here reproduced. It will speak for itself better than any description, and it will be only necessary to say that the fourth, or open side, allowed access to the interior by a broad flight of steps leading to a wide platform on what may be called the first floor, running round the three sides of the interior. Upon this platform the executioner, with his ladders and assistants, performed his office.

This arrangement enabled the designer of the building to form a vault in the centre, lighted by a small loop. It had an entrance, or

¹ "Comptes et Ordinaires de la prévôté de Paris,"



GIBBET OF MONTFAUCON.

(From Viollet le Duc, "*Dictionnaire raisonné.*")

“eye,” in the crown, at the crossing of the ribs, through which were swept from time to time the bones and fragments that fell from above, the *ossuarium*, or charnel-house, being cleared out, as necessity dictated, through a doorway level with the outside ground on the further or sinister side of the building. It must have been a thing quite unique in the world, somewhat recalling the Towers of Silence of the Parsees.

The mode of operation was as follows :—

The executioner, in his rayed and party-coloured habit of red and yellow, mounted the ladder, placed opposite a convenient space, backwards, holding in his hand the slack ends of three cords placed round the culprit's neck ; two of these cords, “*les tortouses*,” had slip-knots. The wretch under treatment was encouraged to follow

“le maistre des haultes œuvres,” driven up after him—no doubt with blows and execrations, according to the Gallic fashion—and drawn forward by him by means of the third cord, “le jet.” Arrived at the proper height, the operator, the mediæval “Monsieur de Paris,” rapidly attached the “tortouses” to the gallows, or chain pendent from it, and, twisting the “jet” firmly round his arm, by means of this, and the action of his knee, threw the culprit off the ladder into mid-air; the knots of the “tortouses” ran home, and the man was strangled. The executioner then gripped the crossbeam, and, placing his feet in the loop formed by the bound hands of the patient, by dint of repeated vigorous shocks terminated his sufferings.¹

¹ Lacroix, “Mœurs, Usages, et Costumes au Moyen Age,” &c., “Pénalité,” p. 455.

It may not be questioned that death under the circumstances and complicated conditions above described cannot have been other than a very shocking spectacle, and particularly when it is noticed from the arrangement of the chains that many a malefactor may in his agony have broken loose from his bonds, and clutched and grappled in his last moments with a decaying carcass at his side.

We can gather a further idea of the strange and dismal appearance of the Gibbet of Montfaucon, if we consider that the quantity of bodies attached to it, and ceaselessly renewed, attracted thousands of carrion birds to the spot. But that its hideous aspect and pestilential surroundings prevented not the establishment, in its immediate vicinity, of places of amusement and debauch, one would almost have been slow to believe were

it not for the testimony of ancient poetry :—

“ Pour passer temps joyeusement,
Raconter vueil une repeue
Qui fut faicte subtillement
Près Montfaulcon, c'est chose sceüe,
.
.
.
.
.
Tant parlèrent du bas mestier,
Qui fut conclud, par leur façon,
Qu'ils yroyent, ce soir-là, coucher
Près le gibet de Montfaulcon,
Et auroyent pour provision,
Ung pasté de façon subtile,
Et menroyent, en conclusion,
Avec eulx chascun une fille.”¹

So wrote Villon—also called Corbeuil,
—in the middle of the fifteenth
century. We shall have occasion,
later on, to show that human nature
on the hill of Montfaucon, in the
darkness of the Middle Ages, was the

¹ “ La Repeue faicte auprès de Montfaulcon.”
Poetry attributed to Villon. Edit. Jannet, p.
292. 1854.

same as human nature in a great English midland town in the enlightened nineteenth century.

Monsieur de Lavillegille tells us that there was another and a smaller gibbet, not far from Montfaucon, called "Le gibet de Montigny."¹ This was to supply the place of the great scarecrow, when the latter was under repair, because, of course, Justice never stands still. The bodies of men decapitated, quartered, torn to pieces by horses, or boiled, were hung up in sacks of sackcloth or leather; such as committed suicide also,² and lay figures of persons condemned *in contumaciam*. The corpse of the great Captain Coligny, who was killed in the massacre of St. Bartholomew,

¹ "Anciens Fourches Patibulaires," p. 38.

² "Le suicide est une mort furtive et honteuse, c'est un vol fait au genre humain."—J. J. ROUSSEAU,

August 24, 1572, was hung up by the heels at the gibbet of Montfaucon. L'Etoile reports that Catherine de Medecis—"pour repâitre ses yeux"—went to view him one evening.

It was the custom in France to try, condemn, and hang on the gibbet, in human clothing, certain animals under special circumstances. So a sow, who had killed a child, was hung up at Montigny. A bull was similarly tried and condemned for killing a man, but whether the beast was gibbeted is not recorded. It may be that the difficulty and inconvenience of carrying the matter out, or perhaps the trouble to obtain garments large enough, caused our fantastic neighbours to draw the line at the bull. But we may fairly admire the principle of mediæval times, which seems to have been that justice should be meted out equally both to man and beast. It is

pleasant to know that in many English towns at the present day societies are active in seeing that not only simple justice, but, what is much better for them, mercy also, is dealt out to the poor dog, the poor horse, the necessary or unnecessary cat, and other harmless, helpless creatures.





Chapter IV.



IN Spain the body remained usually upon the gallows after execution, the gallows thus becoming the gibbet. The following story is an exemplification of this practice :—

“ It was my fortune at St. Domingo to enter the Town-Church : accompanied with two *French* Puppies, mindful to shew me a miraculous matter.

“ Where, when come, I espied over my head, opposite to the great Altar, two milk-white Hens enravelling in an

Iron Cage, on the inner-side of the Porches *Promontore*. And demanding why they were kept? or what they signified? Certain *Spaniards* replied come along with us, and you shall see the Story; and being brought to the (*Choro*) it was drawn thereon as followeth. The Father and the Son, two *Bourboneons* of *France*, going in Pilgrimage to St. *James*, it was their lot to Lodg here in an Inn: Where supper ended, and reckoning paid, the Host perceiving their denariate Charge, he entered their Chamber, when they were asleep, and in Bed, conveying his own Purse in the young man's Budget.

“To-morrow early; the two innocent Pilgrims, footing the hard bruising way, were quickly over-hied by the Justice; where the Host making search for his Purse, found it

in the Sons bagg. Whereupon instantly, and in the same place he was hanged, and left hanging there, seizing on their money by a Sentential forfeiture.

“ The sorrowful Father (notwithstanding) continued his Pilgrimage to *Compostella*. Where, when come, and Devotion made, our Lord of Mount *Serata* appeared to him saying : *Thy prayers are heard, and thy Groans have pierced my heart, arise, and return to Saint Domingo, for thy Son liveth.* And he accordingly returned, found it so, and the Son-hanged Monster, after thirty days absence, spoke thus from the Gallows, *Father go to our Host, and shew him I live, then speedily return.* By which direction the old man entered the Town, and finding the Host at Table, in breaking up of two roasted Pullets, told him, and said : *My son liveth,*

come and see. To which the smiling Host replyd, he is as surely alive on the Gallows, as these two Pullets be alive in the Dish. At which Protestation, the two fire-scorched Fowls leapt out suddenly alive, with Heads, Wings, Feathers, and Feet, and kekling took flight thrice about the Table. The which amazing sight, made the astonished Host to confess his guiltiness, and the other relieved from the Rope, he was hung up in his place, allotting his house for a Hospitality to Pilgrims for ever.”¹

Having an opportunity we made inquiries in Holland. In that country the procedure seems to have been much the same as in France. Our very obliging correspondent informs us :—

“ I am convinced that criminals

¹ Lithgow's “ Nineteen Years' Travels,” London, 1682.

remained for a long time fastened to the gallows after the execution. I have in my possession a copy of an old judgment, dating 1595, which, in my opinion, gives full evidence of what I advance, as this criminal also remained there a long time afterwards. It is written in old Dutch, but let me try to translate it, perhaps it may interest you:—‘The Sheriffs of the city of Leyden,—Whereas the demand and conclusion done and taken by Lot. E. Huygengael, Mayor of this city, against and on account of the dog of Jan Janz van den Poel, named “Troeeveetie,” or by any other name that it might be called, whether by name or surname, at present being in prison. Whereas the information given by M. Eyssler for this purpose, as well as the prisoner’s own confession, given without torture or rack. Giving sentence and justice we have

of high authority and on behalf of the county of Holland and West-Friesland, condemned it (the dog), by these presents, to be brought into the yard of Graefstyn, in this city, where criminals are usually punished, and that it may there, by the executioner, be hung by means of a string on the gallows, between heaven and earth, so that death may ensue ; further, that its dead body be dragged on a stretcher into the gallows-field, and that there it be suspended to the gallows in horrification for all other dogs, and as an example to everybody. We further declare all his assets, if it owns any, to be forfeited and confiscated in favour of the county of Holland and West-Friesland. *Actum* in the public court of Justice — the “Doomstool” — in the presence of all the Aldermen, May 25, 1595.’

“ This dog had bitten J. J. van den Poel’s baby, when playing at his uncle’s house, where the child was holding in his hand a piece of meat, which the dog had seized, and so bitten the child, and thus inflicted a wound on the two fingers of the right hand, through the skin to the flesh, making the blood pour out of the wound, and causing the child to die from this world by the terror thus produced within a few days afterwards.” ¹

¹ Communicated by Mr. F. H. M. Van Lilaar.





Chapter V.



FROM the stony horrors of Paris, and the serio-grotesque doings of the Batavians, it will be a relief to turn to the imagery of the "Inspired Dreamer":—

"Now I saw in my dream, that they went on until they were come to the place that Simple, and Sloth, and Presumption, lay and slept in, when Christian went by on pilgrimage: and behold they were hanged up in irons, a little way off on the other side."

This was written between 1660 and

1670. It is to be observed that the expression is "irons," and not *chains*, and that the fact is mentioned in a simple, natural way, as if the mode of punishment was quite usual for grave offences. Christiana says—"They should never be bewailed by me; they have but what they deserve: and I think it well that they stand so near the highway, that others may see and take warning." And she suggests that their crimes should be engraved on an iron or brass plate, and left "for a caution to other bad men," which Greatheart told her had already been done. But Mercy, with a lack of tenderness which her name and fine earnest character do not bespeak, cries out, "No, no, let them hang, and their names rot, and their crimes live for ever against them!"

The crimes in question were combination against the truth, and

opposition unto holiness, figuratively deserving the highest punishment that could be awarded.

In that strange, shameful, and scarce book, "*Le Moyen de Parvenir*," by Beroalde de Verville, it is recorded that when Charles V. made his entry into Douai, the inhabitants set up triumphal arches and like embellishments. At the last moment they bethought themselves of a wretch who was gibbeted hard by the gate of the principal entrance. Him they therefore dressed in a clean white shirt, to do honour to the emperor.¹ It will be noticed that

¹ "Quand l'Empereur Charles y fit son entrée; les gens de cette ville-là lui voulurent faire tout l'honneur qu'ils purent. Et faisant de belle façons d'arcades, chapeaux de triomphes, poiteaux et telles magnificences, ils s'aviserent d'un pendu qui était à la porte de la ville et principale entrée. Ils ôtèrent à ce pendu sa chemise sale, et lui en mirent une

they did not take the body away, which would have been easier; that would have been illegal.

Before proceeding further it must be stated, as it were to clear the ground, that there were certain treasonable offences for which women might be convicted, and it is to the credit of the English law that the solemn and terrible sentence was not carried out upon them in its fulness, so that, both for high treason and petit treason, the sentence ordered merely drawing to the gallows and burning alive. This sentence was modified in 30 George III. (1791) to drawing, hanging, and dissecting. It is similarly to the credit of

blanche pour faire honneur à Monsieur l'Empereur" (*Le Moyen de Parvenir: contenant la raison de tout ce qui a été, est et sera.* Nulle Part., 1000700504, vol. ii. p. 249).

humanity that the bodies of women were not publicly exposed on gibbets in irons and chains.

In France the same feelings of respect and propriety prevented the hanging of women at the "*fourches patibulaires*." The sentence for grave offences was that of "*la fosse*," or burying alive, usually in front of the gibbet.

It will be convenient now to give a variety of examples further illustrating the subject specially under our notice.

We learn from the parish registers of Bourne, in Cambridgeshire, that Richard Foster, his wife, and his child, were buried on Shrove Wednesday, 1671. All three were murdered on the preceding Sunday by a miscreant named George Atkins. He evaded the law for seven years, but was finally captured, hung, and gibbeted on Caxton Common, adjoining Bourne.

In 1674 Thomas Jackson, a notorious highwayman, was executed for the murder of Henry Miller. He was hung in chains on a gibbet set up between two elm trees on Hampstead Heath, one of which still remains, known as "Gallows Tree." Jackson left a "Recantation," which was printed in quarto form immediately after his death. In this rare tract "is truly discovered the whole mystery of that Wicked and Fatal Profession of Padding in the Road."

In 1687 a person named Bunbury was barbarously murdered by one Loseby, who was caught almost red-handed, executed, and hung in chains on the top of a tumulus on the Watling Street Road, about four miles from Rugby. The spot is marked in Beighton's map of Warwickshire, from a survey made in 1725,

as "Loseby's Gibbet." The tumulus was demolished—as so many others unfortunately have been—in the latter part of the last century, on the making of a turnpike road between Daintry and Lutterworth.¹ In modern maps the site of the tumulus is forgotten, and the spot being now known as "Gibbet Hill," the ancient history is wiped out, or, perhaps, to put it more justly, one kind of history replaces another, as it ever has done, in the revolutions of time, and an entirely new train of thoughts is called up.

In 1690 one William Barwick, while out walking with his wife at Cawood, a few miles south of York, threw her into a pond, drowned her, drew her out, and buried her then and there, in her clothes.

¹ Information from the late Mr. M. H. Bloxam.

Barwick's brother-in-law's suspicions arose, and inquiries were set about; the man confessed, and was duly tried, condemned, and executed at York, and hung in chains by the side of the fatal pond. The curious part of this case was that Barwick's brother-in-law was urged to move in the matter in consequence of his having seen, or fancied he saw—it was all the same in, and long after, the time of Matthew Hopkins¹—a few days after the murder, the ghost of his sister, by the side of the water, at twelve o'clock in the daytime! And his deposition to that effect was taken before the Lord

¹ Witch-Finder General, under a commission from Parliament in the reign of Charles I. He hung threescore suspected witches in one year in Suffolk under most wicked and degrading circumstances.

Mayor on the day preceding the trial.¹

Probably if Barwick had not confessed, his case, in those times, against such evidence as this, would have been quite hopeless.

When the convicted man mounted the gallows he naïvely told the hangman that he hoped the rope was strong enough, because, he said, if it broke with his weight, he would fall to the ground, and become a cripple for life. His apprehensions were quieted by the hangman's assurance that he might venture upon the rope with perfect confidence. And so it turned out, for it was, as American speculators would say, a "spot" transaction.

For examples in the early years of

¹ Rev. S. Baring-Gould, "Yorkshire Oddities," vol. i. p. 56.

the eighteenth century, the following will suffice; they show how thick the gibbets were near London.

Edward Tooll, executed on Finchley Common, Feb., 1700, and afterwards hung in chains.—Michael Von Berghem, and another, executed at the Hartshorne Brewery, June, 1700, and hung in chains, between Mile End and Bow.—William Elby, executed at Fulham, in the town, Aug., 1707, and hung in chains there.—Hermann Brian, executed in St. James's Street, near St. James's House, Oct., 1707, and hung in chains at Acton Gravel Pits.—Richard Keele, and William Lowther, executed on Clerkenwell Green, 1713, conveyed to Holloway, and there hung in chains.—John Tomkins, executed at Tyburn, Feb., 1717, with fourteen other malefactors, and hung in chains.—Joseph Still, executed on Stamford

Hill Road, and hung in chains in the Kingsland Road.—John Price, executed in Bunhill Fields, and hung in chains near Holloway, 1717.¹

¹ "Notes and Queries," 1874, vol. i. p. 35. Fifth Series.





Chapter VI.



T will be recollected that one of the most interesting of Sir Walter Scott's novels, "The Pirate," is founded upon a case of piracy in the Orkneys, in 1725.¹ The captain, John Gow, and his crew, were secured, with much courage and address, by a patriotic inhabitant, James Fea, and the

¹ It may be recalled that Defoe published, anonymously, in 1725, a most interesting and vivid account of the conduct, proceedings, and capture of the pirate Gow and his buccaneer crew.

prisoners were prosecuted by the High Court of Admiralty. The remarkable part of this affair was that, on Gow “standing mute,” that is, refusing to plead, the judge ordered that he should be brought to the bar and his thumbs squeezed by two men with a whipcord until it broke; that it should be doubled, and then trebled, and that the operators should pull with their whole strength. This discipline Gow endured with much fortitude, but when he had seen the preparations for pressing him to death—the *peine forte et dure*,—until he died, or pleaded, his courage gave way,—few men, especially bad ones, can look unflinchingly into the dark valley,—and he said he would not have given so much trouble if he could have been assured of not being hung in chains. He was convicted, hung, and gibbeted in the chains he so much dreaded.

Apropos of the *peine forte et dure*, in March, 1674, a man living at Cannock was arraigned at the Stafford Assizes for the murder of his father, mother, and wife. He refused to plead, but was adjudged guilty. For his contumacy he was sentenced to undergo the *peine forte et dure*, or, in other words to be pressed to death. This was carried out, as appears from a picture in the Salt Library at Stafford, showing the unhappy wretch lying on the floor, with a board on his chest covered with a number of heavy weights.¹

This must have been a more dreadful agony, while it lasted, than the "little ease" or the "rack." The severity of the latter engine is sufficiently attested by the signatures of

¹ J. L. Cherry, "Stafford" in *Olden Times*, p. 80.

Guy Fawkes before and after that ordeal.¹

In 1726 Mrs. Catherine Hayes was burnt alive, doubtless for high or petit treason.²

¹ "Mute

The camel labours with the heaviest load,
And the wolf dies in silence. Not bestowed
In vain should such examples be : if they,
Things of ignoble or of savage mood,
Endure and shrink not, we, of nobler clay,
May temper it to bear."

"Childe Harold," iv. 21.

² High Treason, as defined by the Statute of 25 Edward III. (1351), is divided by Blackstone into seven distinct branches. The first is "compassing or imagining the death of the King, the Queen, or their eldest son and heir." 2. "Violating the King's companion, or the King's eldest daughter unmarried, or the wife of the King's eldest son and heir." 3. "Levying war against the King in his realm." 4. "Adhering to the King's enemies in his realm, or elsewhere." 5. "Counterfeiting the King's great or privy seal." 6. "Counterfeiting the King's money." 7. "Slaying the chancellor, treasurer, or any of the King's justices, being in their places, doing

We gather from Howell's *State Trials* that when the English Regency made an order, in 1742, to hang the body of the murderer of Mr. Penny in chains, they inserted therein that it was on the petition of the relatives of the deceased.¹

In 1742 John Breeds a butcher of Rye, conceived a violent animosity against Mr. Thomas Lamb of the same place, and, as the old Statute of High Treason would put it, "compassed and imagined" his death. The

their offices." (Blackstone's, *Comm.* vol. iv. p. 76).

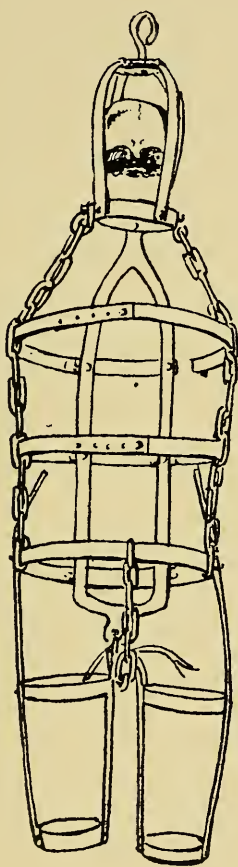
Petit Treason is aggravated murder, according to the same Statute ; and may happen in three ways : 1. "By a servant killing his master." 2. "By a wife killing her husband." 3. "By an ecclesiastic killing his superior." (Blackstone, *ib.* p. 202).

¹ A Regency of Lords Justices administered the government during the numerous absences of the King in Hanover,

opportunity seemed to present itself on the night of March 17th, on the occasion of Mr. Lamb being about to see a friend off by ship to France. But, changing his mind at the last moment, he requested his neighbour, Mr. Grebble, to take his place, which he did. Breeds, or, as he is called on Mr. Grebble's tombstone, the "sanguinary butcher," sharpened his knife and took his station in the shadowy churchyard, and soon rushed on the unsuspecting Mr. Grebble, and mortally stabbed him. The unfortunate victim had strength enough to reach his house, and sit himself in a chair, out of which he very soon fell, and died, to the great consternation of his servant, who was at once suspected of being the murderer. The conduct of Breeds, however, soon cleared up all doubts upon this point. He was tried, and found guilty, and condemned to

death, and to be hung in chains. For this purpose a gibbet was set up in a marsh at the west end of the town now called "Gibbet Marsh." The carcass of Breeds swung for many years on the morass, and when all but the upper part of the skull had dropped away, the chains and frame were rescued by the Corporation of Rye, and have, by lapse of time, acquired a kind of grim interest, if not exactly to "adorn a tale," at least "to point a moral."

In 1747 Christopher Holliday was beaten to death with his own staff by a cold-blooded savage, Adam Graham, on Beck Moor, near Balenbush, on the English side of the Border. Graham was executed at Carlisle, and his body hung in chains upon a gibbet twelve yards high, on Kingmoor, with twelve thousand nails driven into it to prevent it being swarmed, or cut



H

BREEDS'S IRONS, 1742.
(From a photograph.)

down, and the body carried off. The murderer left a confession of several other crimes, which was published at the time in pamphlet form, and had a large sale.

The smugglers also fell into the dire clutches of the law for the good reason that their vulgar atrocities deserved the highest punishment. They were not graceful villains like Claud Duval, that hero of the mob, who is said—but by disinterested witnesses—to have quite charmed the victims while he broke two of the commandments. Thus William Carter, smuggler and murderer, was executed and hung up in chains near Rake, on the Portsmouth road, in 1749.¹ Four others, concerned in the same crime, were similarly gibbeted. One of the

¹ "Sussex Archæological Collections," vol. xxiii. p. 215.

leg pieces of Carter's irons is in the collection of Lady Dorothy Nevill. Implicated in this affair—namely, the robbery of the Custom House at Poole, and the murder of Mr. Galley and Mr. Chater—was William Jackson. He, also, was condemned to be hung, and gibbeted in chains ; but the poor wretch was so ill, and horror-struck when they measured him for his irons, that he died of fright. His body was thrown into a hole near Carter's gibbet. A memorial stone, with a long inscription recording the crime in which so many suffered, was set up on the spot in 1749, and still remains.

Under the pressure of a belief in the extraordinary delusion of witchcraft, a harmless and aged couple at Tring,—who had been removed from the workhouse to the church for safety,—were seized and so shockingly

handled and ducked by a mob at Long Marston, near Tring, in 1751, that the woman, Ruth Osborne, died on the spot. The ringleader, Thomas Colley, was tried at Hertford, when the revolting particulars of the barbarities were proved. He was taken for execution to Gubblecote Cross, in Long Marston parish, thirty miles from Hertford, and so great was the infatuation, and sympathy for the man who had "destroyed an old wicked woman that had done so much mischief by her witchcraft," that a strong escort of horse was necessary. The body of Colley was afterwards hung in chains on the same gallows, the people of Long Marston, many of whom were present at the murder, having petitioned against the gibbetting near their houses.¹

¹ "Gentleman's Magazine," 1751, p. 186.



Chapter VII.



Y this time, as we have seen, it had gradually become usual for the court, in atrocious cases, to direct that the murderer's body should be hung upon a gibbet in chains, near the place where the fact was committed ; but this was no part of the legal judgment.¹ By an Act of 25 George II. (1752) gibbeting in chains was first legally recognized. By this statute it was enacted that the body

¹ Blackstone, "Comm." vol. iv. p. 202.

should, after sentence delivered and execution done, be given to the surgeons to be dissected and anatomized, and that the judge may direct the body to be afterwards hung in chains, but in no wise to be buried without dissection.¹

But still the gibbeting did not form, as it never has formed, part of the legal sentence.² The judge could direct it to be carried out by a special order to the sheriff,³ and this was sometimes done—as we have seen in the case of Mr. Penny's murder in 1741—on the petition of the relatives of the deceased. The theory was that the body was at the disposal of the Crown, and that an order to hang in chains would be granted on application to the proper

¹ Blackstone, "Comm." vol. iv. p. 202.

² Do. do. ib.

³ Do. do. ib.

authorities. This *post-mortem* revenge-ment was thought to be a singular great comfort to the relatives of the murdered man. The Roman law also permitted the murderer's body to remain on the gibbet after execution, as a comfortable sight to the relatives of the deceased :—"Famosos latrones, in his locis, ubi graffati sunt, furca figendos placuit : ut et conspectu deterreantur alii, et solatio sit cognatis interemptorum." ¹

The Act of 1752 seems to have cleared the way considerably, and from this date gibbetings rapidly increased. It may here be recalled that the idea of being gibbeted was ever a very terrifying one to the sufferer, and many a strong man who had stood fearless under the dread sentence broke down when he was

¹ Ff. 48, 19, 28, § 15.

measured for his irons. We may inquire a little what was in prospect for the caitiff that made the iron so to enter into his soul.

At Newgate, which no doubt gave the example to other prisons, it was the custom, after execution, to convey the body into a place grimly called "the Kitchen." Here stood a caldron of boiling pitch, and into this the carcass was thrown. It was shortly after withdrawn, placed in the chains, and these cold-rivetted—truly enough "fast bound in misery and iron." We can picture the brutal work, with, no doubt, the coarse jesting, when the dead malefactor was finally rivetted up in what was called "his last suit."

" 'Twas strange, 'twas passing strange ;
'Twas pitiful, 'twas wondrous pitiful." ¹

¹ *Othello*, Act i. sc. 3.

Occasionally the bodies were put into sacks, and so hung up. In France also, men in the fifteenth century were drowned in sacks of leather; hence the term “gens de sac et de corde” for evilly-disposed persons at the present day.

It is well known—for there is frequent allusion to it in the literature of the time—that travellers approaching London and other large cities, in the last century, were offended, both in sight and in other ways, by the number of dingy, dead, iron-bound bodies that welcomed them. In remote parts a gibbet had the effect of diverting the slender traffic—at least when night set in. Belated wayfarers were grieved by the horrid grating sound as the body in the iron frame swung creaking to and fro. Thus Shakespeare :—

“Against the senseless winds shall grin in vain,
Who in contempt shall hiss at thee again.”¹

And in the daytime these odd features in an English landscape often proved an attraction to flippant sporting men.

On the banks of the Thames, opposite Blackwall, hung the bodies of numerous pirates. The Rev. T. Mozeley, in his “Reminiscences,” tells us that “the only inhabitants of the Isle of Dogs that I ever saw were three murderers hanging from a gibbet.” A correspondent tells us “they looked like scarecrows.” One of Hogarth’s pictures of “The Idle Apprentice” series shows the pirates hanging in the distance.² In later times, in the windows of the water-side taverns at Blackwall, “spy-

¹ *King Henry VI.*, Part ii. Act iv. sc. 1.

² Two sets of pirates’ chains from the Thames are in the collection of the Rev. J. W. Tottenham.

glasses," or what Robinson Crusoe called "perspective glasses," were fixed for people to enjoy the spectacle ; similarly the Greenwich pensioners on the Hill used to exhibit the gibbeted pirates on the opposite side of the river, in the Isle of Dogs, through telescopes ; and when the bodies were removed by legislative enactment, some of the forward newspapers of the day made an outcry that the holiday-makers were deprived of their amusements.¹

In the same manner, at Northampton, on the occasion of the last public execution there, in 1852, thousands of people gathered together, and were painfully disappointed and turbulent when they found the day had been changed. Some of these worthies

¹ "Notes and Queries," 1874, vol. i. p. 35. Fifth Series.



A THAMES PIRATE.

said if they could only get at the under-sheriff "they would let him know what it was to keep honest folk in suspense," one old woman loudly declaring that she should claim her expenses from the authorities.¹ The New Drop set up at the Northampton County Gaol in 1818 was of such ample capacity that it was proudly described by the governor as efficient for the hanging of twelve persons "comfortably."²

¹ C. A. Markham, "Ancient Punishments in Northamptonshire," p. 16.

² Ibid.





Chapter VIII.



N 1752 Captain Lowry suffered at Execution Dock, and was hung in chains by the side of the Thames, doubtless for piracy ; and in the same year John Swan was executed at Chelmsford and hung in chains in Epping Forest.

In 1764 William Corbett was executed on Kennington Common. His body was "fixed in irons"—a new expression—and hung upon Gallery Wall, between Rotherhithe and Deptford. Eighteen years earlier the gal-

lant young rebel, Jemmy Dawson, had been hung, drawn, and quartered on the same common for "the -45." A young lady—"dear Kitty, peerless maid!"—died of a broken heart on the day of his execution.

"She followed him, prepared to view
The terrible behests of law ;
And the last scene of Jemmy's woes
With calm and stedfast eye she saw."¹

On November 16, 1766, Thomas Parker called on his way from Penrith Market at a small inn at Carlton. Being somewhat the worse for drink,²

¹ Percy. "Reliques of Ancient English Poetry," vol. i. p. 306.

² "Ale makes many a man reel over the fallows;
Ale makes many a man to swear by God and
All-Hallows ;
Ale makes many a man to hang upon the
gallows—
With dole."

"Songs and Carols." Edited by Thomas Wright. Percy Society, 1847.

the landlord urged him to remain, but the shaggy sot pressed on his way, and was murdered the same night. The affair caused an extraordinary local interest among a population who had not forgotten the shocking incidents of the punishments for the Rebellion of twenty years before. The poor muddled man had been beaten to death by one Thomas Nicholson, after a violent struggle with the assassin. The murderer, upon strong circumstantial evidence, was sentenced to be executed, and his body to be hung in chains near where the crime was committed. It so hung for many years, slowly dropping to pieces, until on one stormy night the gibbet was blown down. Shortly after some humane persons from Edenhall came and gathered the desolate bones together, wrapped them in a winnowing-sheet—it sounds

like an episode from the Apocrypha, like a good deed of Tobit—and laid them in a grave. The spot was long after distinguished by the letters, large and legible, deeply cut in the turf, “T. P. M.,” signifying “here Thomas Parker was murdered.”¹

The hanging in chains of a man named Corbet, of Tring, who murdered Richard Holt in 1773, is noteworthy, as the last instance of gibbeting in the county of Buckingham.²

A notorious highwayman, John Whitfield, was executed and gibbeted on Barrock, near Wetheral, Cumberland, about the year 1777. It is said that he was gibbeted alive, and that the guard of a passing mail-coach put him out of his misery by shooting him.

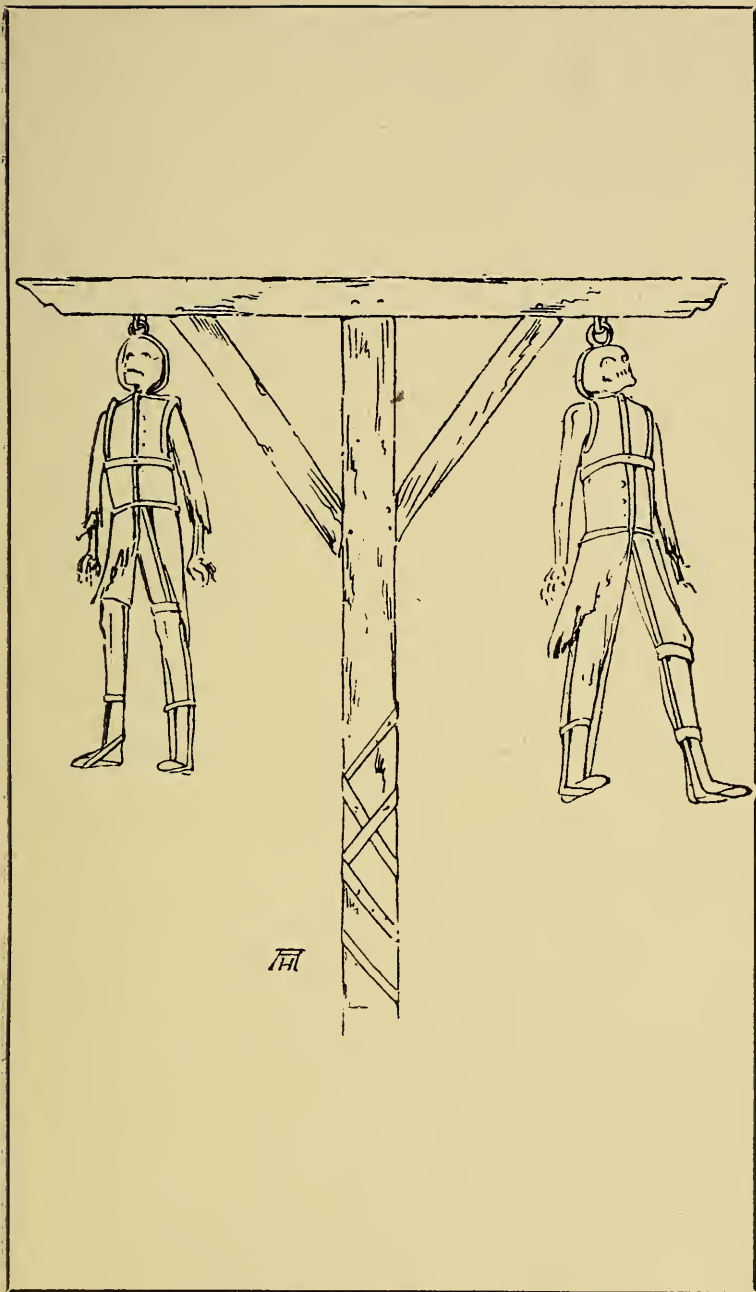
¹ “History of Penrith,” *ut sup.*

² “Records of Buckinghamshire,” paper by the Rev. J. C. Wharton, vol. ii. p. 159.

If this were true the guard was clearly guilty of murder. We shall have occasion to revert to this question. Later, a sergeant was reduced to the ranks for shooting at the dead body in chains of Jerry Abershaw, a notorious brigand, on Wimbledon Common.¹

In the year 1785 the Rev. Thomas Kerrich made sketches of two men hanging in chains upon one gibbet on Brandon Sands, Suffolk. At the present day all other record both of the men (May and Tybald), their crimes, and their punishment, has, like the coral worm of the completed reef, utterly passed away; all has succumbed to "the tooth of time, and razure of oblivion." The gibbet post is shown bound with iron bands to prevent cutting down.

¹ "Notes and Queries," 1873, vol. xi. pp. 83, 125. Fourth Series.



GIBBET ON BRANDON SANDS, 1785.
(From a sketch by the Rev. Thomas Kerrich.)

About the middle of the last century three men who robbed the north mail near the Chevin, over against Belper, were all executed and hung in chains on one gibbet on the top of the mountain. "Now then, you three, hang there, and be a sign."¹

It is recorded that a friendly hand set fire one night to the gibbet which, with all three bodies well saturated with pitch, was burnt to ashes, leaving only the irons and chains remaining.²

Not unduly to multiply instances we may hurry on to 1788. In this year the postboy between Warrington and Northwich was robbed by William Lewin. This was still a capital offence, but the culprit evaded justice for three years. Being finally over-

¹ "The Pilgrim's Progress," chap. iv., Fate of Simple, Sloth, and Presumption.

² "The Antiquary," Nov., 1890.

taken he was executed at Chester, and his body hung in chains on the highest point of Helsby Tor, eight miles from Chester, and visible, as it was said, "with glasses," even from the Peak of Derbyshire. It was evidently believed that the whole country round would see and take warning.¹

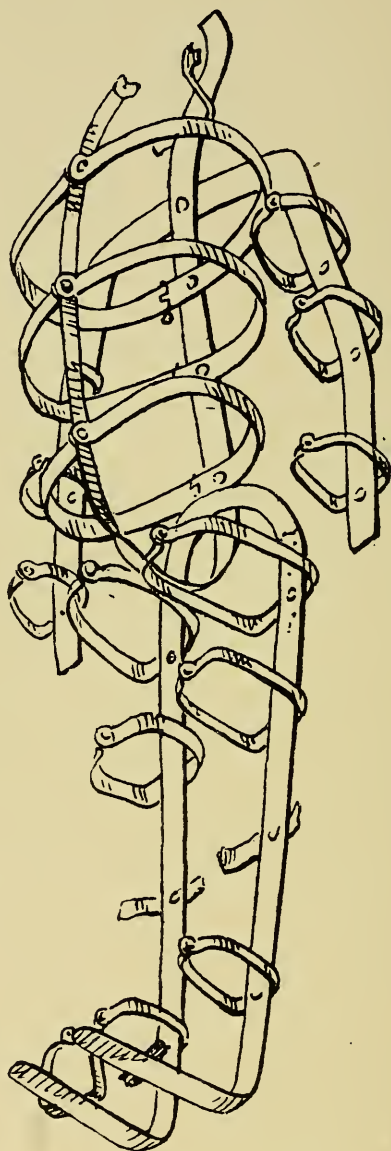
" . . . but they kill'd him, they
Kill'd him for robbing the mail,
They hanged him in chains for a show."²

There were then three gibbets between Liverpool and Warrington.

But the system, like all violent systems, was not deterrent—indeed, a multitude of men hanging in chains seems to affect the spectator rather as a curious sight than as the necessary and proper consequence of transgression.

¹ C. Madeley, "Obsolete Punishments," p. 35.

² "Rizpah," *Tennyson*.



MILES'S IRONS, 1791.
(From "Obsolete Punishments," by C. Madeley.)

Five months after the death of the last-mentioned criminal, Edward Miles was executed and hung in chains, not only for robbing the mail, but for murdering the postboy also. It was a serious case, and the man was hung, and gibbeted in irons on the Manchester road, near the Twystes. These irons, of a very careful manufacture, were dug up on the spot in 1845, and falling into the hands of the late Mr. Beaumont, are now preserved in the Warrington Museum.

In 1796 James Price and Thomas Brown were hung in chains on one gibbet at Trafford, between Chester and Tarporley. A print in the account of the trial shows the carcasses in iron frames shaped to the body like the Warrington example.¹

To take again a southern case. In

¹ Communicated by Mr. C. Madeley.

1799 two brothers named Drewett, for attacking the Portsmouth mail, in the delightful district of Midhurst, were executed on Horsham Common, and their bodies taken to the scene of the robbery, and hung up in irons. This event still lingers in memory in the district, and the more so, perhaps, because the younger of the two convicts is believed to have had the nobility to suffer for his father, whose guilt he would not disclose.¹ The "last dying speeches" of these two men, printed with uncouth verbiage, and picturesque deformity of language, is still occasionally to be met with.

¹ "Sussex Archæological Collections," vol. xxiii. pp. 214-5.





Chapter IX.



EW persons of taste have failed to make themselves acquainted with the works of Bewick, the father of English wood-engraving. In them we have everything the most truthful and poetical. Wide, wild moor, the desolation of winter, with the solitary worn-out horse, forgotten in the snowy waste ; the falling fane, the crumbling tower ; scenes on northern shores,—rocks and sea-fowl, wrecks and tem-

pests.¹ He delights to show us in his famous tailpieces such pictures as the ragged rascallions that abound in streets, graceless and cruel ; beggars and strollers with bear, monkey, or trumpet ; lame soldiers and wounded men, real or sham ; the belated traveller in the rain ; the snow-man of our childhood ; the tipplers with their delightful tall, twisted-stemmed wine-glasses, all “regardless of their doom,” or returning with faltering steps from the tavern ; the man on the stepping-stones, bowed down with his burden, the poor mewing cat turning round and round at sea in a tub. Among his principal engravings Bewick gives us in his “Quadruped,” and with a delicacy and force that no modern workman has equalled, for instance,

¹ See W. Howitt, “The Rural Life of England,” 1838, vol. ii.

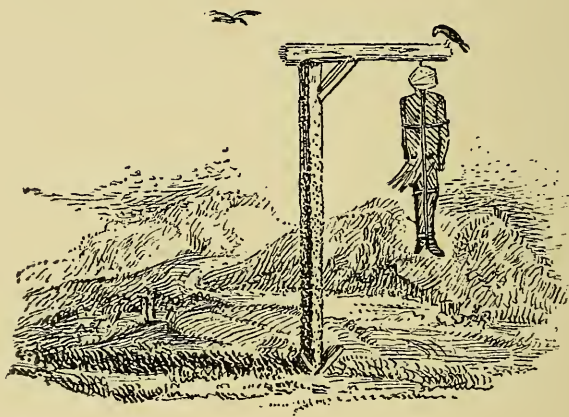
the lion rearing a majestic crest, and “we seem to hear his awful voice, rolling like thunder along the ground, and cowing all nature into silence ;”¹ the tiger with his fearful glittering eye, that only Rubens or Rivière can paint. Among birds we may recall the woodcuts of the moping thoughtful owl ; the water ouzle, with his white waistcoat, sacred to the rocks of the Dove ; and the carrion crow wheeling round the gibbet. All these are capital examples of Bewick’s skill ; they are, indeed, as fine as they can be, and rendered with the magic touch, with that wonderful feeling for nature which just make the difference between the plodding draughtsman and the born artist. Many persons can “draw,” but very few can draw even tolerably. And Bewick chose, like Hogarth, to

¹ See W. Howitt, *ut. sup.*

portray humanity in some of its degradations, and to call up our feelings against violence and wickedness and the abuse of man's high quality. He shrank not from the gibbet, he saw its educational value, and, with absolute fidelity, he gives us many examples of the time-honoured horror, standing out stark and bare against the bleak sky.

In a late year of the last century a man was hung in chains in the north of England,—but the particular place we have not been able to identify. And we lift the long-forgotton crime up to notice now because it forms the subject of a tailpiece by Bewick to the Introduction to "*Carrion Birds*."¹ The print is here roughly reproduced because it exhibits some particular features. The head is tied up in a

¹ "*British Birds*," v. p. 84.



GIBBET.

(From a woodcut by T. Bewick, "*British Birds*.")

white cloth, with a tender touch of feeling, and the body fastened up in irons with Doric simplicity ; the post is stuck full of thousands of nails, like the example near Carlisle, to prevent men from coming and climbing and stealing the body away—a precautionary measure recalling the sentry of Roman times.¹

¹ In consequence of the rarity of representations of gibbets, it may be desirable to mention other examples in the works of Thomas Bewick, "British Birds," Edit. 1832, vol. i. In a tailpiece to the account of the Alpine Vulture, p. 53, a gibbet is shown in the distance. Tailpiece to the Introduction to the Shrike, p. 74—a moonlight scene, with a gibbet in the distance ; in the foreground a scared old man is terrified by trees and rocks whose forms assume hobgoblin shapes. Tailpiece to the account of the Chatterer, p. 105—Satan sits upon a rock, smoking a pipe, a gibbet in the distance. Tailpiece to the account of the Whitethroat, p. 261—a gibbet in the distance. "Quadrupeds," first Edit., 1790. Tailpiece to the account of

the Arctic Fox, p. 274—a gibbet in the distance; in the foreground two boys hanging a dog. Tailpiece to the account of the Opossum, p. 375—a gibbet in the distance; in the foreground two boys belabouring a donkey.





Chapter X.



ABOUT the year 1800 a man named Watson was executed at Lynn for the murder of his wife and child. The body was taken to Bradenham Heath, and there gibbeted in irons. Some few years ago the gibbet was still standing, and at the foot of it Mr. H. Rider Haggard and his brother found, imbedded in the sod, the upper portion of the iron framing, including the headpiece, with a portion of the skull remaining in it. So it had been withdrawn from sight by kindly nature, in

her pitying mood, and covered by the greensward. A lady of that neighbourhood, who died a few years ago, aged ninety-four, used to relate, that when she was a girl, she once crossed the gibbet common, and noticed that a starling had built her nest in the man's ribs ; later on some lovers of nature came from Shipdam and stole away the young birds. The remains of Watson's irons are now deposited in the Norwich Gaol, among a very interesting collection of chains, gyves, irons, gang-chains, and burning girths for the "pale martyrs in their shirts of fire."

A noteworthy feature in this case was, as in that of John Whitfield, before mentioned, that it got about, in latter days, in the neighbourhood, that the man had been hung up alive, and watched till he died. Similarly, we have a story from Durham, showing

that one Andrew Mills, gibbeted alive in 1684, for murdering his master's three children, was kept in existence for some time by his sweetheart (of course), who, until she was prevented, gave him milk in a sponge at the end of a stick.¹

These kind of stories usually fall to pieces when they are examined, and it so happens that on the tombstone of the three unfortunate little children, in Merrington churchyard, are the words :—" He was executed and afterwards hung in chains "; but "*executed and*" have been nearly obliterated by deep chisel marks,² thus forming at once both the *post hoc* and the *propter hoc* of the story. As to the milk, and the sweetheart, this part of the fable

¹ "Notes and Queries," 1872, vol. x. p. 332. Fourth Series.

² Ibid., p. 459.

is nothing but a free rendering—necessary under the circumstances—of the classical legends of Euphrasia and Evander, of Xantippe and Cimonos.¹ Tradition often does, but just as often—or oftener does not justify itself.²

¹ “There is a dungeon, in whose dim, drear light

What do I gaze on? . . .

An old man and a female young and fair,
Fresh as a nursing mother, in whose vein
The blood is nectar.

Here youth offers to old age the food,
The milk of his own gift . . . It is her sire
To whom she renders back the debt of
blood . . .

Drink, drink and live, old man; heaven’s
realm holds no such tide.”

“Childe Harold,” iv. st. 148.

² There is a very circumstantial story of one Ambrose Gwinnett, who, according to his own statement, was hung, and hung in chains at Deal in 1709, and came to life again, and escaped to Florida. But, what is more extraordinary still, he fell in with the very man he was supposed to have murdered, survived him for

This suggests a few words upon the question of hanging alive in chains. Hollingshed, in his "Description of England"¹ says :—" In wilful murder done upon pretended (premeditated) malice, or in anie notable robbery," the criminal "is either hanged alive in chains near the place where the fact was committed, or else, upon compassion taken, first strangled with a rope, and so continueth till his bones come to nothing." Chettle, in "England's Mourning Garment,"² speaking of the clemency of Elizabeth, says :—"Where-as before time there was extraordinary torture, as hanging wilfull

many years, and long swept the way at Charing Cross. The whole thing is in print, and many people are apt to think that what is "in print" must be true. See "The Life and Strange Voyages and Uncommon Adventures of Ambrose Gwinnett." London, 1771.

¹ Pp. 184-5.

² C. 4 vers.

murderers alive in chaines ; she having compassion . . . said their death satisfied for death.”

These, and many other similar arbitrary statements, might seem conclusive evidence ; but, on the other hand, the “ Statutes at Large ” may be vainly searched to find one directing the punishment of gibbeting alive. And when we recall the calm language in which persons are directed by statute to be boiled, disembowelled, or burnt alive, we may be quite sure that, if the English law had ever contemplated the infliction upon a subject of such lingering torture as gibbeting alive, it would have been as coldly and legally set forth, and, by this time, as legally repealed,—which is perhaps, more to the point still. And, further, it is difficult to believe that any English official would, at any time,—whether under the pressure of the

hardening influences of religious intolerance, or politics,—have taken upon himself so serious a responsibility, or that any section of the English people would have suffered such wanton barbarity. The conclusion we are happily driven to is that both Hollingshed, Chettle, and all the old and modern hare-brained irresponsible chatterers have been carried away by a superstitious belief in a poor, vulgar fiction, “a vain thing fondly imagined,” and to which the multitude of to-day still appear to cling with a fatuous devotion which, probably, no amount of education or refutation will ever entirely eradicate. This shows the strong vitality of fiction.

With regard to the punishment of hanging and boiling, alluded to above, a single example will suffice. After the suppression of the Northern Rising the king attacked the Friars. Their

popularity and poverty alike had saved them when the lesser monasteries fell ; but their independence and boldness, in preaching against the Marriage question and the Supremacy, proved their ruin. Those who had not fled the country were treated with the utmost harshness. Thus Father Stone, an Austin Friar of Canterbury, for obstinately maintaining his opinion that the king may not be head of the Church of England, was hung, cut down, and his body boiled and quartered, as appears from the following very curious document preserved among the records of the city of Canterbury :—"A.D. 1538-9. Paid for half a ton of timber to make a pair of gallaces to hang Father Stone. For a carpenter for making the same gallows and the dray. For a labourer who digged the holes. To four men who helped to set up the gallows.

For drink to them. For carriage of the timber from stable gate to the dungeon.¹ For a hurdle. For a load of wood, and for a horse to draw him to the dungeon. For two men who set the kettle and parboiled him. To two men who carried his quarters to the gate and set them up. For a halter to hang him. For two half-penny halters. For Sandwich cord. For straw. To the women that scoured the kettle. To him that did execution.”²

An obliging correspondent tells us that he remembers riding with his father, in 1819, under a gibbet near Evesham, and the creaking of the irons as they were swayed by the wind.

¹ The hill called Dane John, near Canterbury.

² Hist. MSS. Comm. 9th Report., App. 158, quoted in “Henry VIII. and the English Monasteries,” p. 260, by F. A. Gasquet.



Chapter XI.



OWARDS the year 1808 a man named Thomas Otter, *alias* "Tom Temporal," was hung at Lincoln for the murder of a woman with whom he cohabited there. It appears that she had followed him when returning into Nottinghamshire where his wife lived. At the junction of the two counties he turned on her, like a wild beast, and slew her—in a lane near Saxilby, still called "Gibbet Lane"—and flung the body into a drain dividing the two counties. Not exactly knowing which

way to go at the moment,¹ the bewildered miscreant fled back as quickly as he could to Lincoln, was captured, and nearly proved an *alibi* at the trial. But he was convicted and executed, and hung in chains on the fatal spot. This custom had then, fortunately, fallen somewhat into disuse ; but even desuetude had its drawbacks, for crowds came to see the spectacle,—just as all Sheffield and Rotherham flocked to the gibbet of that famous highwayman, Spence Broughton, on Attercliffe Common in 1792, and a stall with that curious cloying refreshment—gingerbread—was set up, after the English rural fashion. Subsequently some inquiring tomtits were

¹ “I saw also that he looked this way and that way, as if he would run ; yet he stood still, because (as I perceived) he could not tell which way to go.” (“The Pilgrim’s Progress,” chap. i.)

attracted, and made their nest, and hatched seven young ones, in the upper part of the iron frame where the head was fixed ; and a local poet, in the fulness of his heart, produced the following riddle :—

“ 10 tongues in one head,
9 living and one dead,
I flew forth to fetch some bread,
To feed the living in the dead.”

(Answer) “ The tomtit that built in Tommy
Otter’s head.”

Years after, our informant,¹ riding in Gibbet Lane, came to the gibbet and saw bones and rags of clothing lying upon the ground, and the skull remaining in the iron headpiece. Parts of these irons are now preserved at Doddington Hall, near Lincoln.

Another courteous correspondent ²

¹ Sir C. H. J. Anderson, Bt.

² Dr. Donnet.

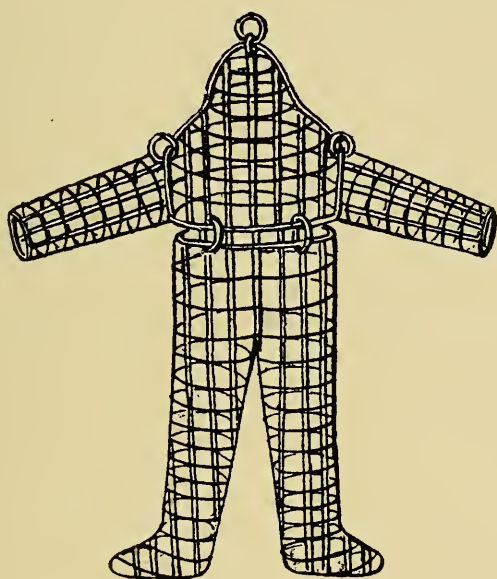
informs us that nearly seventy years ago, in Malta, on the occasion of a public festival, the body of one of two brothers, between whom a feud had long existed, was found murdered. Circumstantial evidence pointed so strongly to the survivor as the assassin that he was tried, condemned, and executed. In accordance with the Code Rohan, the right hand was separated from the body, and gibbeted in an iron cage. Some years had passed by when a man dying in the Civil Hospital confessed himself to be the murderer; he earnestly begged that something might be done to remove the stain from the memory of the blameless brother, and presently passed away. The gibbeted hand was now lowered and followed to a grave by an impulsive multitude in sobs and tears, uttering prayers and entreaties for the repose of the soul of

the innocent victim, and trusting that the ordeal of martyrdom through which he had passed in this world might prove to him a crown of glory in the next.

The same correspondent vividly recalls the bodies of pirates hung in chains on the walls of the fort of Ricasoli, at the entrance to the harbour of the island of Malta, as seen by him in 1822.

“A Lady Pioneer” describes an ancient rusty cage, here illustrated, seen hanging from a tree by a friend in Eastern Bengal. This was said to have been used as a punishment for dacoits, the tradition being that they were hung up alive.¹ The shape and careful manufacture almost seem to bear this out. In the Asiatic Society’s Museum at Calcutta an iron apparatus

¹ “The Indian Alps,” by A Lady Pioneer, p. 32.



IRON CAGE IN EASTERN BENGAL.
(From an engraving in "*The Indian Alps*.")

for the same purpose is preserved. Another exists in Jamaica, and to both the same legend is attached.¹

In the year 1827 a chimney-sweep committed a murder on the high road near Brigg, and was tried at Lincoln. It so happened that the new Assize Courts were then being erected, and the Dean and Chapter lent their majestic Chapter House for the trial. This building was temporarily fitted up as a criminal court, the trial took place in it, and lasted all day, and in the deepening gloom, under the shadow of St. Hugh's great minster, Judge Best sentenced the prisoner to death, and ordered the body to be hung in chains on the spot where the crime was committed. It is well remembered, by a gentleman who was present, what a strange, solemn, and striking scene

¹ "Notes and Queries," 1873, vol. x. p. 125. Fourth Series.

it was. The inhabitants of Brigg petitioned against the gibbeting, on account of the scene of the murder being so very near the town, and this horror was accordingly remitted.

In 1832, on the occasion of a pitmen's strike at Shields, Mr. Nicholas Fairles was the only resident magistrate, and, as such, had to take active steps to preserve the peace. On June 11th he was riding to Jarrow Colliery when he was attacked and pulled from his horse by two men, and so ill-treated that he died on the 21st. One of the men escaped, the other, William Jobling, was taken, tried at Durham, and hung on August 3rd. The body was escorted by soldiers to Jarrow Slake, stripped, covered with pitch, and re-clothed. It was then carefully encased in a framework of iron,—the face being wrapped in a white cloth,—and hung on a gibbet twenty-one feet high and

bound with iron bands. The post was fixed into a stone of one and a half tons' weight which was sunk into the Slake about a hundred yards within high-water mark, and nearly opposite the spot where the murder was committed. Jobling's gibbet was covered for about five feet up by the high tide. During the dark night of August 31st the body was stolen away, and is said to have been buried in the south-west corner of Jarrow churchyard.

It is a curious coincidence that while these pages have been passing through the press Jobling's widow has died (April 14, 1891) at the great age of ninety-six. Thus the last personal link with the Gibbet has been severed.¹

¹ See "Proceedings, Society of Antiquaries of Newcastle-on-Tyne," iii. pp. 263, 308. Sykes's "Local Records," ii. pp. 365, 388.—Information from Mr. R. Blair.

The last example of hanging in chains :—

“ Last scene of all,
That ends this strange eventful history,”¹

is that of a man named Cook, a book-binder, who murdered Mr. Paas, with the iron handle of his press, at Leicester, in 1834. He was sentenced to death, and the body ordered to be gibbeted. This was done in Saffron Lane, outside the town, and the disgraceful scene around the gibbet, as described by an eye-witness, was like a fair. A Dissenter mounted upon a barrel and preached to the people, who only ridiculed him, and the general rioting soon led to an order for the removal of the body.² In the same year (4 William IV.) Hanging in Chains was

¹ *As You Like It*, Act. ii. sc. 7.

² “Notes and Queries,” 1883, vol. viii. p. 394. Sixth Series.

abolished by statute. The irons which proved so strong a magnet are now preserved in Leicester Gaol.

Finally, an accomplished Northamptonshire antiquary¹ informs us that many years ago he came to a lone hill at Elsdon, near Morpeth, in Northumberland, and found a gibbet with a wooden head hanging from it; this still exists. It seems that the murderer, whose crime it recorded, William Winter, who slew Margaret Crozier, in 1791, sat down to his lunch in a sheep-fold, and a curious shepherd-boy abstractedly counted the nails in his boots, and noticed his peculiar knife, and this led to his apprehension. The wooden head is a memorial of the savage past, a relic of "the good old times," which we may truly rejoice to think have passed away for ever.

¹ Sir H. E. L. Dryden, Bt.

We have now dealt with some of the changeless passions in what the immortal Castaway calls "that strange chequer-work of Providence, the life of man." We have traversed the gory path of dishonour from end to end, at times with wide steps, a way often obscure, and ever slippery with blood. It has not been necessary to go to mendacious chroniclers, or scandalous diaries, for this story of man's high nature in some of its degradations, for we have, verily, as in the "Visions of Mirza,"¹ essayed to cross the bridge over the Vale of Misery; we have "unloaded all the gibbets, and pressed the dead bodies."²

It has been impossible to treat of such a ghastly subject—of which the horrors seem to burn themselves into

¹ *Spectator*, No. 159, Sept. 1, 1711.

² *King Henry IV.*, Part i. Act iv. sc. 2.

the mind—without a certain amount of ghastliness ; indeed, without the plea of attempting to throw a ray of light into some of these dark corners of history, we should almost have flinched from bringing forward these melancholy topics, making sensibility shudder, and which our readers may, perchance, find it a pleasure to forget. And in imagination we already hear the cry—

“ Vex not his ghost : O, let him pass ! he hates
him

That would upon the rack of this tough world
Stretch him out longer.” ¹

¹ *King Lear*, Act v. sc. 3.

NOTE.—Any notice of Gibbets in England would be incomplete without a reference to the *Halifax Gibbet*. This instrument of speedy but rough justice resembles the *Guillotine*. It remained in use until 1650, and records exist showing how numerous were the sufferers under its swift blade. The Earl of Morton, passing through Halifax about the middle of the sixteenth century, witnessed an execution, and is said to have been so much pleased with it that he had a similar machine made for Scotland, where he was Regent. It long remained unused under the name of “The Maiden.” But on June 3, 1587, the Regent was himself executed by it. Thus, as we have it in *Hudibras*, he “made a rod for his own breech.” The Maiden is now preserved in the Museum of the Society of Antiquaries of Scotland, at Edinburgh.—*See* “Halifax and its Gibbet Law,” &c., 1756.



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